

MAR 02 2007

REMARKS

Claims 1-63 are pending. Independent claims 1, 11, 23, 28, 38, 45, and 54 were rejected under 35 U.S.C. 103(a) as being unpatentable over Chiu (US005883901A) in view of newly cited Burke (US006233235) and newly cited Sawyer (US006765925). Quigley (US006785564B1), cited in previous office actions, is no longer relied upon. The independent claims have been amended. Some recitations have been added. Other recitations have been removed. The claims have been amended to facilitate prosecution and clarify aspects of the invention.

Chiu describes a Signal Conversion System (SCS) connected to a cable modem. The Signal Conversion System (SCS) uses the Disable/Enable Cable Modem Request subframe type "to turn on and off a particular cable modem 113. The subframe type is 0x03 for Disable and 0x05 for Enable. The Disable/Enable CM subframe is a six-byte MAC modem address field that uniquely identifies the particular CM 113 the frame is directed to." (Col 12, Lines 45-51) The Examiner notes that "Chiu does not disclose disabling the cable modem for periodic intervals separated by activation windows."

Burke describes an alert system. "The alert phase 166 as provided in accordance with the alert queue 60, creates an alert time phase based on the group number N, and then sends the alert phase to the subscriber unit 16,18. A trap 168 is provided in connection with the CMTS operating logic in order to filter all messages destined for registered subscriber units 16,18. The filtering operation provided by the trap 168 traps out telephony start/alert messages, and queues up such messages in the alert phase bins 0-127 of the alert queue 60. A master clock 170 is provided for the communication system 10 in order to provide precise timing intervals based on the wake times and the number of groups N, and thus master clock signals are generated using the alert messages. If the alert phase bin number contains one or more messages, a Group Alert message is transmitted to the subscriber units, which is received by the subscriber unit operating logic Group Alert decision block 152. The subscriber units 16,18 receive the queued messages from the CMTS 26, which are received for communication between the CMTS 26 and subscriber units 16,18. If no messages are contained in the present alert phase bin, however, then no Group Alert message is generated from the CMTS 28, and accordingly the alert queue 60 proceeds to the next phase bin in accordance with the master clock timing intervals." (column 8, line 64 – column 9, line 20)

Sawyer describes a technique for "maintaining state information for a network device changing from a first channel (in communication with a first base unit) to a second channel (in communication with a second base unit) communicates with at least one of the first base unit and an intermediate network device to ascertain the state information. Once the state information is ascertained, it is applied to the communication of the network device with the second base unit. Both the first and second base units are independently operable network devices in a data transmission network." (column 2, lines 46-55)

None of the references cited teaches or suggests varying activation window length. Furthermore, none of the cited references teaches or suggests changing activation length based on drift. None of the references teaches or suggests varying based on drift between a cable modem clock and a headend clock. The independent claims have been amended to recite wherein "wherein activation window length is varied based on drift between a cable modem clock and a headend clock." The amendments are believed supported in Figure 4 and associated description. The specification describes a variety of ways activation window lengths can be determined. For example, according to particular embodiments, the periodic intervals and activation windows can be preconfigured, and the unicast SYNCH message would not need to carry information on periodic interval and activation window lengths." (page 14, lines 5-8) The activation window length can be varied based on drift. "The periodic interval and activation window lengths can vary based on the drift between the clock of the headend and the clock of the cable modem. The SYNCH messages typically synchronize the clocks of these two network elements. A longer periodic interval may require a longer activation window because of the drift in time between the two clocks. A longer periodic interval may require the headend to receive and queue more data destined for a cable modem with disabled receiver circuitry." (page 15, lines 3-9)

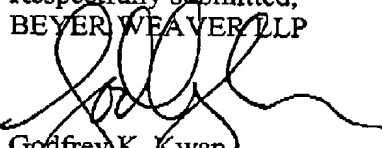
According to particular embodiments, "The activation windows indicate how long the receiver circuitry should be enabled between these periodic intervals to allow the cable modem to receive unicast SYNCH messages. SYNCH messages synchronize the clock of the cable modem with the clock of the headend and instruct the headend to enable the receiver circuitry of the cable modem. The headend can enable the receiver circuitry of the cable modem when the headend has received and queued data destined for the cable modem with disabled receiver

circuitry. For example, the periodic intervals can be 10 seconds while the activation window can be 100 milliseconds." (page 14, lines 10-18)

It is respectfully submitted that even if there is sufficient motivation to combine Chiu with newly cited Burke and newly cited Sawyer, the combined references do not describe all of the elements of the independent claims.

In light of the above remarks relating to independent claims the remaining dependent claims are believed allowable for at least the reasons noted above. Applicants believe that all pending claims are allowable. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,
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